

**GREENWOOD COMMON COUNCIL**

**ORDINANCE NO. 18-12**

**AN ORDINANCE TO ESTABLISH A SPECIAL NON-REVERTING FUND  
TO ADMINISTER TRAFFIC DEFERRAL PROGRAM FEES**

WHEREAS, the Common Council passed Ordinance 12-87 amending the Traffic and Parking Regulations of Greenwood Municipal Code Chapter 8 to establish local court jurisdiction over local traffic violations and to allow for the establishment of a local traffic deferral program;

WHEREAS, pursuant to Greenwood Municipal Code Section 8-4, as amended by Ordinance 12-87, the Board of Public Works and Safety and the Corporation Counsel established a traffic deferral program pursuant to Ind. Code § 34-28-5-1(h);

WHEREAS, the City Court, the Law Department, and the Police Department are the City of Greenwood ("City") departments who operate the local traffic deferral program;

WHEREAS, fees collected through the traffic deferral program have been deposited into the General Fund and accounted for as a line item, and each time an expenditure of the funds is desired an appropriation of the funds is required;

WHEREAS, it has been determined that it is advisable to establish in the City a Special Non-Reverting Fund into which fees paid by participants of the traffic deferral program shall be placed for the use and benefit of the departments operating the traffic deferral program (the City Court, the Law Department and the Police Department);

WHEREAS, Ind. Code §36-1-3-6 grants municipalities the power to operate and govern local affairs by adopting ordinances prescribing the specific manner in which said power is to be exercised;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, AS FOLLOWS:

Section 1. There is established in the City a Special Non-Reverting Fund to be known as the "City Traffic Deferral Program Fund", into which shall be deposited the fees paid by participants of the traffic deferral program, and from which shall only be paid costs, expenses, and purchases associated with or related to the operation of the City Court, the Law Department, or the Police Department.

Section 2. The City Traffic Deferral Program Fund shall exist until terminated by Ordinance of the Greenwood Common Council.

Section 3. The sections, paragraphs, sentences, clauses, phrases and words of this Ordinance are separable, and if any section, paragraph, sentence, clause, phrase or word shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect any of the remaining phrases, clauses, sentences or words of this Ordinance.

Section 4. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

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Adopted by the Common Council of the City of Greenwood, Indiana, this \_\_\_\_ day \_\_\_\_\_, 2018.

\_\_\_\_\_  
Michael Campbell, President  
Greenwood Common Council

<u>FOR:</u>		<u>AGAINST:</u>
_____	Linda S. Gibson	_____
_____	Ezra Hill	_____
_____	Bruce Armstrong	_____
_____	Ronald Bates	_____
_____	J. David Hopper	_____
_____	Thom Hord	_____
_____	Michael Campbell	_____
_____	Brent Corey	_____
_____	Tim McLaughlin	_____

ATTEST:  
  
\_\_\_\_\_  
Jeannine Myers, Clerk

The foregoing within and attached Ordinance passed by the Common Council of the City of Greenwood, Indiana, on the \_\_\_\_ day of \_\_\_\_\_, 2018, is presented by me this \_\_\_\_ day of \_\_\_\_\_, 2018, at \_\_\_\_\_ O’Clock \_\_.M., to the Mayor of the City of Greenwood, Indiana.

\_\_\_\_\_  
Jeannine Myers, Clerk

The foregoing within and attached Ordinance passed by the Common Council of the City of Greenwood, Indiana, on the \_\_\_\_ day of \_\_\_\_\_, 2018, is signed and approved by me this \_\_\_\_ day of \_\_\_\_\_, 2018, at \_\_\_\_\_ O’Clock \_\_.M.

\_\_\_\_\_  
MARK W. MYERS, Mayor of  
the City of Greenwood, Indiana